California State Journal of Medicine.

Owned and Published Monthly by the

Medical Society of the State of California

PHILIP MILLS JONES, M. D., Secretary and Editor

PUBLICATION COMMITTEE

George H. Evans, M. D. A. B. Grosse, M. D.
W. Francis B. Wakefield, M. D. Harry M. Sherman, M. D.

ADDRESS ALL COMMUNICATIONS

Secretary State Society, - - -
State Journal, - - -
Official Register, - - -
2210 Jackson Street, San Francisco.

Telephone, West 5975.

IMPORTANT NOTICE!

All Scientific Papers submitted for Publication must be Typewritten.

Notify the office promptly of any change of address, in order that mailing list and addresses in the Register may be corrected.

VOL. V FEB., 1907. No. 2

EDITORIAL NOTES.

OSTEOPATHIC PHYSICIANS.

This is not the case, however, with the law passed in 1901 regulating the practice of osteopathy. That law has recently been declared unconstitutional. (Superior Court, Los Angeles; W. P. James, J., Dec. 28, 1906.) The law authorized the board to issue a certificate to any osteopath presenting a diploma from a college of osteopathy recognized by the Board of Examiners, but did not define *what qualifications a college should have in order to be so recognized.* The decision specifically states that not a single portion of the act is in question, but the entire act, and it is declared null and void. As a result of this, the osteopaths have applied to the Legislature now in session for a new law; in fact, at least two bills have been introduced up to the time of writing and we understand that a third is to be presented. Now this opens up a pretty wide field. It is a well-known fact that whatever the expressed intentions of the osteopath may be, when he is licensed to practice osteopathy he really begins to practice medicine. He dubs himself an osteopathic physician. A physician is one skilled in physic; in the administration of remedies. Furthermore, at least one of the osteopathic bills already introduced gives the practitioners of that cult the authority to sign death certificates, etc., and makes them come under the supervision of health boards, etc., the *same as any other school of medicine!* Two Attorneys-General of this State have filed opinions that an osteopath is not a practitioner of medicine, nor a physician. There was nothing, in the law which has just been declared unconstitutional, which required an applicant to practice osteopathy, to exhibit his knowledge or training or proficiency in osteopathy; he merely had to file a diploma from some college approved by the board. And yet it is claimed by all colleges of osteopathy that they teach the same fundamental branches as are taught by schools of medicine, and that they only differ in the matter of materia medica and the practice of osteopathy. If this is the case, why not have the same fundamental standards of educational

equipment for all? Why determine the extent of education in anatomy for a graduate of a medical school and fail to determine the same thing in the case of an osteopath who claims to have an equal and similar fundamental education? Let us read what *The Osteopath,* a journal of that sect published in Los Angeles, has to say on the subject in its issue for November-December, 1906:

> "The applicant for a State certificate of qualifications to practice medicine in the State of California must take an examination in the following subjects: Anatomy, physiology, bacteriology, pathology, chemistry and toxicology, surgery, obstetrics, materia medica and therapeutics, theory and practice of medicine. The applicant for a certificate of qualification to practice osteopathy should properly be examined in all of the foreging subjects except materia medica and theory and practice of medicine; in lieu of these, he should be examined in gynecology, physical diagnosis, and principles and practice of osteopathy. The present medical board is composed of regulars, homeopaths and eclectics. The applicant for a State certificate is examined by the mixed board on all subjects except materia medica and principles and practice of medicine. On these subjects he is examined by the representative of his particular system. In other words, in the branches of science common to all, one examination is conducted; in the special materia medica and theory and practice of it, the regular is examined by regulars, the homeopath by homeopaths and the eclectic by eclectics."

ANOTHER PHASE.

Now, let us consider the claims put forth by the osteopathic colleges as to the fundamental instruction given. Fortunately, the *Texas State Journal of Medicine* has compiled a list of the text books recommended by a number of schools, including regular, homeopath, eclectic and the American School of Osteopathy at Kirksville, Mo. In the list of text books recommended by the last mentioned institution, we find a total of 118 titles; *of these 112 are written by members of the regular profession, and but six are by osteopathic authors.* In the subject of "Practice," we find 38 titles listed, and of these but 4 authors are of the osteopathic school. Of the 34 books on practice written by regulars, we find such names of authors as Anders, Osler, Tyson, Eichhorst, Stelwagon, Hyde, Pusey, Dana, Barker, Fox, etc. Would it not appear from the text books used and the instruction alleged to be given, that the practice of osteopathy comes mighty near the practice of medicine? Then why have a separate and distinct board to license osteopaths? Why permit one board to license persons, without any demonstration of their fitness, to *practice medicine under the name of osteopathy?* Is the State safeguarding its people properly and fully if it says that any one to practice medicine as such must demonstrate his fitness, but that he may practice medicine, under the cloak of osteopathy, without inquiring into his qualifications to do so? As we have already seen, in the paragraphs quoted from *The Osteopath,* even the members of that cult raise the question themselves. Granted that the given individual has had sufficient education in the fundamental branches of medical science (as taught in all medical schools, and which the osteopaths say they teach in their colleges), to pass an examination at the hands of a composite board, do you think he can do much harm, whether he gives big pills, or little pills, or no pills, or massages the spine? He certainly must have enough knowledge of anatomy and physiology and pathology to keep him from going farther astray than the average educated physician, and that is all that the State does or should require, and all that the courts hold should be demanded of him who treats the sick. Then, why not concentrate the police work of the State, so far as it deals with healing the sick, in the hands of one board? Do away with the examination in materia medica and therapeutics and principles and practice of medicine, and simply require every applicant of whatever school or pathy to take the same examination which the disciple of any other school is required to take. Is this not a rational and practical solution of the problem?

REPORT OF THE BOARD OF MEDICAL EXAMINERS.*

By DUDLEY TAIT, San Francisco.

The policy pursued by the Board of Examiners during the past two years has not deviated from that outlined in Riverside. The strictest adherence to the law has characterized every decision, every move, every act. "Better no law at all than one which is not enforced," has been our motto. You may scan our records, peruse our archives, and you will find none of the nambypamby methods so prevalent in many official bodies. Two subjects in particular have occupied the attention of the Board and called for special study: First, the preliminary educational requirements of matriculants to the medical schools of this State; second, the framing of a new medical law.

A year ago the Association of American Medical Colleges, at the urgent request of the Credential Committee of the California Board, placed the control of the matriculation requirements exclusively in the hands of the State Boards, thus killing a prevailing mercenary traffic in entrance certificates, so profitably and so complaisantly arranged by deputy State superintendents and two medical schools. To-day we wish to report to you the results of the enforcement of the new regulation in the matter of matriculation requirements. The 1905-6 session of one of the colleges just referred to opened with forty-two Freshman students, the majority of whom presented certificates from a Deputy State Superintendent of Public Instruction. The following year, when the Board appointed an examiner to pass upon the credentials of matriculants, the requirements being the same as the year previous, this same school has seven students in the Freshman class, and four of these are not legally entitled to remain there, inasmuch as they have not met the proper entrance requirements. Therefore, we note a reduction of 1400% in the matriculation record of this college. In the second school the 1905-6 session opened with ten Freshmen; the following year we fail to find a single Freshman. The enforcement of the Association standard has closed the doors of this college.

There is no more radical method of exterminating the purely mercenary medical college than by exacting of all matriculants a high standard of preliminary education. The California Board extends its investigation of preliminary requirements to every applicant for a certificate to practice medicine. We have already notified several large Eastern colleges of this fact.

A few words now in regard to the new medical law. Those who framed that excellent law which regulated the practice of medicine in this State from 1876 to 1901 knew well the great value of their creation, but unfortunately those upon whom fell the duty of enforcing this law neglected, at an early date, to study the law, and then apparently ignored or failed to enforce its most potent sections. Consequently in 1901 a new law was found necessary, and a fabulous price paid for its enactment. The price was the Osteopathic Act, a cheap, almost open door to the practice of medicine. How has this medical law operated during the past six years? We note an annual reduction of 25% of the regular licentiates, who now average 180 yearly, a reduction of 400% of the homeopathic licentiates, who average ten yearly, and finally a reduction of 1700 of the Eclectic licentiates, who now average about two yearly. The trend of thought among educated homeopaths is toward rational or scientific methods. Here in California they are advocating high educational standards, and we find them invariably among the strongest supporters of our medical law. Eclecticism is ready for the necropsy table. But let us now contemplate the reverse side of the medal and estimate what we have foisted upon the unsuspecting people of this State. About 800 licenses have been granted by the California Osteopathic Board of Examiners since 1901. At the recent February meeting of said Board a block of 170 licenses was issued—i. e., almost as many as the Medical Board issues during an entire year. And let us not forget that all these osteopathic licenses, with one exception, were granted without examination. Among the successful applicants before the Osteopathic Board we find a considerable and increasing proportion of applicants who failed ignominiously before the Medical Board. The sole licentiate by examination at the hands of the Osteopathic Board presented a worthless German certificate purporting to be a medical diploma from the University of Heidelberg. Perhaps the osteopaths' ignorance of the Teutonic tongue may seem pardonable, when shortly afterwards we find the same spurious certificate admitting its holder to advanced standing in a regular medical school of medicine in San Francisco.

Pardon, I pray you, this digression, and let us return to our muttons, the osteopaths. During the recent meeting of the Legislature the osteopathic delegation stated, without compulsion, that their licentiates practiced medicine, surgery and the various specialties, resorting to drugs and to the knife whenever necessary. "Their ambition," said they, "was to be known as practitioners of medicine, in the broad sense of the term." It is therefore obvious that the present medical law has made the requirements much more rigid for our own followers, while it has created a wide door through which the illiterate entered the practice of medicine. The evil was flagrant. Our medical law was suicidal, although constitutionally sound. A new law became imperative. Hence the law which takes effect May 1st, a law in the framing of which liberality has been the dominant note. The new law may not be ideal, but the perusal of the decisions of the Supreme Courts of other States justifies us in asserting that it will successfully run the gamut of judiciary bodies of California. To those who view with a feeling of suspicion, any association with the osteopathic fold, I say have patience; let us await the result of the experiment, which according to recent experience is one of assimilation. Lest history repeat itself, we must not forget the absurdities and follies of our ancient quarrel over pathies.

Whence will the new law conduct us? No law is self-operative. Isolated, sporadic enthusiasm must succumb to general apathy. I sincerely believe it is within our power to advance the cause of medical education, to ameliorate the status and lighten the burden of the practitioner of medicine in this State; but a happy solution of the serious problems confronting us will require active intelligent co-operation. The influence for good, the power of this society, is just proportionate to the degree of initiative and willingness of its average member.

A final word in reference to the prosecution of illegal practitioners, which, under the new law, may become one of the Board's functions. In many States the enforcement of the criminal statute is delegated by the Legislature to the State Society. The California law makes us your agents in this matter; hence the urgent reason for the co-operation of the State and County Societies with the Board of Ex-

*Read at the Thirty-seventh Annual Meeting of the Medical Society of the State of California, held at Del Monte, April 16th, 17th and 18th, 1907.

aminers, in view of inaugurating and maintaining a vigorous campaign against violators of the law. The experience of a member of the Board show the almost insurmountable obstacles encountered and the consequent need of the influence of the profession in prosecuting illegal practitioners, especially when, in the case of the licensed M. D., the most culpable of all offenders, the friends of the defendant, the faculty of his alma mater, flock to the judge's chambers or to the witness-stand to give the defendant a good character. The illegal practitioner expects to find, and does find, protection and immunity in the medical profession itself, which so often gazes silent, indifferent and apathetic upon some enthusiasts who, single-handed, are doing the dirty work in the lower courts of justice.

For the sake of principle the conviction of one educated violator of the law would do more good than the imprisonment of ten ignorant fakirs. Fellow members, I again urge that the directors of this Society devise some plan of co-operation between the County Societies and the Board of Examiners.

I thank you for your attention and your support, to which we must attribute whatever good we may have accomplished. The endorsement of our work by official and educational circles of other States is but the echo of your generous support.

California State Journal of Medicine.

Owned and Published Monthly by the

Medical Society of the State of California

PHILIP MILLS JONES, M. D., Secretary and Editor

PUBLICATION COMMITTEE.

Langley Porter, M.D. — John Spencer, M.D.
Martin Fischer, M.D. — Harry M. Sherman, M.D.

ADDRESS ALL COMMUNICATIONS

Secretary State Society, - - -
State Journal, - - -
Official Register, - - -

2210 Jackson Street, San Francisco.

Telephone, West 5975.

IMPORTANT NOTICE!

All Scientific Papers submitted for Publication must be Typewritten.

Notify the office promptly of any change of address, in order that mailing list and addresses in the Register may be corrected.

VOL. V JUNE, 1907. No. 6

California State Journal of Medicine.

Owned and Published Monthly by the

Medical Society of the State of California

PHILIP MILLS JONES, M. D., Secretary and Editor

PUBLICATION COMMITTEE.

Langley Porter, M.D. John Spencer, M.D.
Martin Fischer, M.D. Harry M. Sherman, M.D.

ADDRESS ALL COMMUNICATIONS

Secretary State Society, - - - 2210 Jackson Street,
State Journal, - - - - San Francisco.
Official Register, - - - -

Telephone, West 5975.

IMPORTANT NOTICE!

All Scientific Papers submitted for Publication must be Typewritten.

Notify the office promptly of any change of address, in order that mailing list and addresses in the Register may be corrected.

VOL. V SEPT., 1907. No. 9

EDITORIAL NOTES.

ILLEGAL PRACTITIONERS.

We publish this month the first report from the committee of the Board of Examiners having in charge that portion of the new law which requires the board to prosecute violations of the statute. It must be understood that it is one thing to require certain things to be done and quite a different thing to do them—especially when no machinery is provided. We understand that there was practically no money available for this part of the work of the board, and without money but little can be done. Detectives must be employed to get evidence and attorneys must be hired to conduct the prosecutions; all of which necessitates the expenditure of money. The chairman of the committee, Dr. Mattison, of Pasadena, was willling, fortunately for the people of his community, to advance the funds necessary to begin the work; also fortunately, he enlisted the hearty support of the prosecuting officer of Los Angeles county. An excellent start has been made, as may be seen from the report, and there is no reason to believe that the work will in any measure be neglected. The State is large, however, and Dr. Mattison can not very well extend himself and his energies into every county in it. The Board of Examiners, we believe, is ready to do everything in its power, but the board itself is without any considerable funds to do the work and can not go into the field and hunt up illegal practitioners. If the various county societies will take this matter up with the board, through the Associate Secretary, Dr. Dudley Tait, 1879 Sutter street, San Francisco, or through Dr. F. C. E. Mattison, Stowell Building, Pasadena, undoubtedly every possible aid will be given in getting the work started in various places. When once enough convictions have been secured and enough fines paid in to create a fund, the work of ridding the state of the quacks and charlatans who live on the misfortunes of their victims will go on well and smoothly and without the necessity for calling upon outside help. But in order to get the work started and place the board in a position to carry it out, our county societies will have to lend their aid.

California State Journal of Medicine.

Owned and Published Monthly by the

Medical Society of the State of California

PHILIP MILLS JONES, M. D., Secretary and Editor

PUBLICATION COMMITTEE.

Langley Porter, M.D. — John Spencer, M.D.
Martin Fischer, M.D. — Harry M. Sherman, M.D.

ADDRESS ALL COMMUNICATIONS

Secretary State Society, - - | 2210 Jackson Street,
State Journal, - - - - | San Francisco.
Official Register, - - - -

Telephone, West 5975.

IMPORTANT NOTICE!

All Scientific Papers submitted for Publication must be Typewritten.

Notify the office promptly of any change of address, in order that mailing list and addresses in the Register may be corrected.

VOL. V NOV., 1907. No. 11

EDITORIAL NOTES.

RESOLUTIONS PASSED BY THE LOS ANGELES COUNTY MEDICAL ASSOCIATION OCTOBER 4, 1907.

WHEREAS, The laws governing the practice of medicine in the State of California were enacted in order that only properly qualified persons be permitted to hold themselves before the public as being competent to treat sick and afflicted citizens;

AND WHEREAS, In the treatment of injury and disease, life and death are frequently involved;

THEREFORE BE IT RESOLVED, By the Los Angeles County Medical Association in regular meeting assembled, that inasmuch as the legal practice of medicine nearly always means the treatment of injured or sick citizens by ignorant, vicious or incompetent persons, that this association pledge to the California State Board of Medical Examiners its support in the work of ridding the State from quackery and charlatanism;

AND BE IT FURTHER RESOLVED, That the members of this association pledge themselves individually and collectively, to support and co-operate to the fullest possible extent with the California State Board of Medical Examiners in this important work, and that the president of this association be authorized to appoint an executive committee of three to collect funds and to take other necessary steps to properly represent the association in the enforcement of the medical laws of the State, and further be it resolved that copies of these resolutions be sent for publication to the medical press of the State of California.